

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-7108

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ERNEST J. HODGES,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Terrence W. Boyle, Chief District Judge. (CR-99-58-BO, CA-02-47-5-BO)

Submitted: October 10, 2002

Decided: October 17, 2002

Before WILLIAMS, KING, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Ernest J. Hodges, Appellant Pro Se. Kenneth Fitzgerald Whitted, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Ernest J. Hodges seeks to appeal the district court's order denying relief on his motion filed under 28 U.S.C. § 2255 (2000). We have reviewed the record and conclude for the reasons stated by the district court that Hodges has not made a substantial showing of the denial of a constitutional right. See United States v. Hodges, Nos. CR-99-58-BO; CA-02-47-5-BO (E.D.N.C. June 13, 2002). Accordingly, we deny a certificate of appealability and dismiss the appeal. See 28 U.S.C. § 2253(c) (2000). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED